

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XL CAPITAL ASSURANCE INC.,	}	
	}	08-CV-5842 (JGK) (AJP)
Plaintiff,)	
)	ECF Case
v.)	
INDYMAC BANK, F.S.B.,)	
)	
Defendant.)	
)	

NOTICE OF APPEARANCE

To the Clerk of the Court and all parties of record:

Please enter my appearance as counsel in this case for Plaintiff XL Capital Assurance Inc.

I certify that I am admitted to practice in this Court.

Dated: New York, New York
July 14, 2008

Respectfully submitted,

/s/ Scott H. Bernstein
Scott H. Bernstein
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Attorneys for Plaintiff
XL CAPITAL ASSURANCE INC.

DECLARATION OF SERVICE

Raymond E. Galbraith, hereby declare, pursuant to 28 U.S.C. § 1746, that on July 14, 2008, I served a true and complete copy of the attached Notice of Appearance on counsel of record via the Court's ECF System.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
July 14, 2008

/s/ Raymond E. Galbraith
Raymond E. Galbraith